

JAN 13 2006**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS****NOT FOR PUBLICATION****UNITED STATES COURT OF APPEALS****FOR THE NINTH CIRCUIT****UNITED STATES OF AMERICA,****Plaintiff - Appellee,****v.****JAIRO CASTILLO,****Defendant - Appellant.****No. 04-50207****D.C. No. CR-02-01291-ABC-01****MEMORANDUM***

**Appeal from the United States District Court
for the Central District of California
Audrey B. Collins, District Judge, Presiding**

Submitted January 9, 2006****Before: HUG, O'SCANNLAIN, and SILVERMAN, Circuit Judges.**

Jairo Castillo appeals the 210-month sentence imposed following his guilty plea conviction for conspiracy to possess with intent to distribute and to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a) and 846, and possession with intent to distribute and to distribute methamphetamine in violation of 21

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

U.S.C. § 841(a). We have jurisdiction under 28 U.S.C. § 1291.

We remand the sentence for further proceedings consistent with *United States v. Ameline*, 409 F.3d 1073, 1084-855 (9th Cir. 2005) (en banc).

REMANDED.